

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UPSTART GROUP LCC,

Plaintiff,

v.

THE UPSTART GROUP  
INCORPORATED,

Defendant.

CASE NO. 2:19-cv-01290-RAJ-BAT

**ORDER SETTING PRETRIAL  
SCHEDULE**

This case has been referred to the undersigned United States Magistrate Judge for all pretrial proceedings. The Court has reviewed the parties' Updated Joint Status Report and Discovery Plan (Dkt. 52) and issues the following pretrial schedule:

Event	Date
Deadline for joining additional parties	<b>January 31, 2022</b>
Deadline for amending pleadings	<b>January 31, 2022</b>
Reports of expert witnesses per FRCP 26(a)(2) due	<b>June 19, 2022</b>
Reports of rebuttal expert witnesses per FRCP 26(a)(2)	<b>July 19, 2022</b>
All motions related to discovery must be noted for consideration no later than	<b>July 22, 2022</b>
Discovery to be completed by	<b>August 19, 2022</b>
All dispositive motions must be filed pursuant to CR 7(d)	<b>September 16, 2022</b>

All <i>Daubert</i> motions must be filed by (same as dispositive)	<b>September 16, 2022</b>
Mediation per CR 39.1(c)(3) held no later than	<b>September 23, 2022</b>

This order sets firm dates that can be changed only by order of the Court, not by agreement of counsel for the parties. The Court will alter these dates only upon good cause shown. Failure to complete discovery within the time allowed is not recognized as good cause. If any of the dates identified in this Order or the Local Civil Rules fall on a weekend or federal holiday, the act or event shall be performed on the next business day.

#### **TRIAL DATE**

A trial date will be set by the assigned District Judge, the Honorable Richard A. Jones, if the case has not been resolved by settlement.

#### **DISCOVERY AND COOPERATION**

As required by CR 37(a), all discovery matters are to be resolved by agreement if possible. Counsel are also directed to cooperate in preparing the final pretrial order in the format required by CR 16.1, except as ordered below.

#### **FINDINGS OF FACT AND CONCLUSIONS OF LAW**

Where appropriate, the parties are encouraged to work together in the creation of proposed findings of fact and conclusions of law. On or before the deadline for filing proposed findings and conclusions the parties shall email their proposed findings and conclusions in Word format to [tsuchidaorders@wawd.uscourts.gov](mailto:tsuchidaorders@wawd.uscourts.gov).

#### **PRIVACY POLICY**

Under LCR 5.2(a), parties must redact the following information from documents and exhibits before they are filed with the Court:

- \* Dates of Birth – redact to the year of birth, unless deceased.
- \* Names of Minor Children – redact to the initials, unless deceased or currently over the age of 18.
- \* Social Security or Taxpayer ID Numbers – redact in their entirety
- \* Financial Accounting Information – redact to the last four digits.
- \* Passport Numbers and Driver License Numbers – redact in their entirety.

### **MEDIATION AND SETTLEMENT**

The Court designates this case for mediation under CR 39.1(c) and the parties are directed to follow through with the procedures set forth in that rule. If this case settles, Plaintiff's counsel shall notify Andy Quach at (206) 370-8421 or via e-mail at: [Andy.Quach@wawd.uscourts.gov](mailto:Andy.Quach@wawd.uscourts.gov), as soon as possible. Pursuant to CR11(b), an attorney who fails to give the Deputy Clerk prompt notice of settlement may be subject to such discipline as the Court deems appropriate.

DATED this 9th day of November, 2021.



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BRIAN A. TSUCHIDA  
United States Magistrate Judge